



Tyler L. Burgess
+1 202.942.5505 Direct
Tyler.Burgess@arnoldporter.com

April 26, 2024

VIA ECF

Hon. Miroslav Lovric
U.S. Magistrate Judge
U.S. District Court
Northern District of New York
Binghamton U.S. Courthouse
15 Henry St.
Binghamton, NY 13901

Re: *Honeywell Int’l Inc. v. Buckeye Partners, L.P. et al.*, No. 5:18-cv-00646-FJS-ML; *Honeywell Int’l Inc. v. Energy Transfer (R&M), LLC et al.*, No. 5:18-cv-01176-FJS-ML; *Honeywell Int’l Inc. v. CITGO Petroleum Corp.*, No. 5:19-cv-01219-FJS-ML (*consolidated*)

Dear Judge Lovric,

Pursuant to the Court’s February 2, 2024 Text Order, ECF No. 378, certain non-settling parties to the above-referenced matters, including Honeywell International Inc. (“Honeywell”), CITGO Petroleum Corporation (“CITGO”), Energy Transfer (R&M), LLC and ETC Sunoco Holdings LLC, (“Sunoco”),¹ conferred and provide the Court with this report. Non-settling parties YAD Defendants filed their report separately. ECF No. 391.

Honeywell and CITGO have reached agreement on the terms of a settlement and are in the process of finalizing a settlement agreement. Honeywell and CITGO will advise the Court when they have finalized the agreement and provide the anticipated schedule for filing a stipulation of dismissal.

Since the parties’ last report to the Court on the status of discovery matters filed on January 3, 2024, ECF No. 361, the parties have exchanged additional discovery requests,

¹ Hess Corporation (“Hess”) was not included among the Settling Parties as defined in the Settling Parties’ January 27, 2024 Joint Status Report; however, all claims pending against Hess will be dismissed as part of the settlement agreements described therein. ECF No. 369. To comply with the Court’s February 2, 2024 Text Order, ECF No. 378, non-settling party Hess has authorized this filing, but provides no report on the status of its discovery actions because Hess has no remaining obligations to any party in the above-referenced matters.



Hon. Miroslav Lovric
April 26, 2024
Page 2

met and conferred on discovery issues, and exchanged deficiency letters regarding productions. Additionally, the parties have worked cooperatively with Onondaga County to advance Sunoco's request to conduct sampling at SYW-12. *See* ECF No. 385.

Honeywell and Sunoco continue to work respond to open discovery items and to review the large volumes of documents that have been produced. Honeywell produced over 2,000 documents comprising over 54,000 pages and Sunoco produced 990 documents comprising over 5,000 pages. The parties will continue producing documents and completing their responses to the outstanding discovery requests.

The parties indicated in their January 3, 2024 report that there was a possibility that one or more of the parties may seek leave to file a motion to compel in the future. Honeywell and Sunoco have been working diligently and cooperatively in the discovery process and will advise the Court in the event that they intend to seek assistance in resolving any issues.

* * *

The non-settling parties to the above-captioned cases, except YAD Defendants, consented to my filing this status report on their behalf.

Sincerely,

/s/ Tyler L. Burgess

Tyler L. Burgess

ARNOLD & PORTER KAYE SCHOLER LLP

Brian D. Israel

Daniel A. Cantor

Tyler L. Burgess

Brian.Israel@arnoldporter.com

Daniel.Cantor@arnoldporter.com

Tyler.Burgess@arnoldporter.com

(202) 942-6546 (Israel)

(202) 942-5765 (Cantor)

(202) 942-5505 (Burgess)

Counsel for Plaintiff Honeywell International Inc.